

REMARKS

Claims 6, 12, 36, 46, 69, 74, 78, 80 and 88 are amended. Claims 2-7, 9-13, 36-59 and 69-95 remain in the application for consideration. In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the pending claims.

Examiner Interview

Applicant respectfully thanks the Examiner for the time spent on the telephone discussing the disposition of this case. During the discussion, Applicant and the Examiner discussed the cited art and some claim modifications that would receive favorable treatment by the Examiner. While Applicant believes that such modifications are unnecessary, in the spirit of advancing prosecution of this matter, Applicant has made the clarifying amendments listed above and discussed below.

§103 Rejections

Claims 2, 5-7, 9-11, 36-40, 43, 46-48, 50-54, 59, 80, 81, 84-89 and 92-95 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,572,648 to Bibayan in view of U.S. Patent No. 6,563,514 to Samar.

Claim 6, as amended, recites a method of exposing commands in a software application program comprising [added language in bold italics]:

- determining a user's context within an application program by ascertaining a position of a user's cursor within a document provided by the application program; and
- automatically displaying at least one command on a display for the user based on the user's context, wherein said automatically

1 displaying is accomplished, at least in part, using tree-based
2 visibility expressions, wherein individual expressions define
3 conditions associated with a user's interaction with the document
4 and which are used to ascertain when to display said at least one
5 command, and wherein individual expressions are represented in a
6 tree data structure *having one or more children nodes, said tree
7 structure evaluating to either true or false based at least in part
8 upon the values of said one or more children nodes.*

9 In making out the rejection of this claim, the Office argues that Bibayan
10 and Samar teach or suggest all of the subject matter of this claim and that it would
11 have been obvious to combine their teachings. Applicant respectfully disagrees.
12 For instance, the Office equates Fig. 5 of Bibayan and Figs. 4-5 of Samar with
13 "tree-based visibility expressions" as claimed. However, Applicant fails to see
14 how Fig. 5 of Bibayan, which depicts a flowchart explaining *how* the dynamic tool
15 palette display is modified, or Figs. 4-5 of Samar, which depict flowcharts for
16 performing a simple lookup and retrieving information respectively, can possibly
17 be equated with "tree-based visibility expressions" and individual expressions that
18 are "represented in a tree data structure", as those terms are used and understood
19 in the context of the subject application.

20 Nevertheless, in the interest of advancing the prosecution of this matter,
21 Applicant has amended this claim to clarify that individual expressions are
22 "represented in a tree data structure *having one or more children nodes, said tree
23 structure evaluating to either true or false based at least in part upon the values of
24 said one or more children nodes.*" (emphasis added). None of the references cited
25 by the Office, including Fig. 5 of Bibayan and Figs. 4-5 of Samar, teach or suggest
any such subject matter. For instance, with respect to Fig. 5 of Bibayan in
particular, even a cursory inspection of this figure shows that boxes S501 – S516

1 are a series of sequential steps in a method and therefore cannot be characterized
2 as a tree structure "evaluating to either true or false based at least in part upon the
3 values of said one or more children nodes."

4 Accordingly, this claim is allowable.

5 Claims 2, 5-7 and 9-11 depend from claim 6 and are allowable as
6 depending from an allowable base claim. These claims are also allowable for their
7 own recited features which, in combination with those recited in claim 6, are
8 neither disclosed nor suggested by the references of record.

9 Claim 36, as amended, recites a method of exposing commands in a
10 software application program comprising [added language in bold italics]:

- 11 • determining a user's context within an application program by
12 evaluating at least portions of one or more expressions, each
13 expression being associated with a context block and defining a
14 condition that describes one or more aspects of a user's interaction
15 with the application program, wherein individual expressions
16 comprise tree-based visibility expressions, and wherein individual
17 tree-based visibility expressions are ***boolean expressions***
18 represented in a tree data structure; and
- 19 • automatically displaying, independent of a user selecting any
20 displayed menu item, at least one context block on a display for the
21 user based on the user's context, individual context blocks
22 containing multiple commands that are possible selections for a user
23 based upon their context.

24 In making out the rejection of this claim, the Office argues that Bibayan
25 and Samar teach or suggest all of the subject matter of this claim and that it would
have been obvious to combine their teachings. Applicant respectfully disagrees.
For instance, the Office equates Fig. 5 of Bibayan and Figs. 4-5 of Samar with
"tree-based visibility expressions" as claimed. However, Applicant fails to see

1 how Fig. 5 of Bibayan, which depicts a flowchart explaining *how* the dynamic tool
2 palette display is modified, or Figs. 4-5 of Samar, which depict flowcharts for
3 performing a simple lookup and retrieving information respectively, can possibly
4 be equated with “tree-based visibility expressions” or individual tree-based
5 visibility expressions that are “represented in a tree data structure”, as those terms
6 are used and understood in the context of the subject application.

7 Nevertheless, in the interest of advancing the prosecution of this matter,
8 Applicant has amended this claim to clarify that “individual tree-based visibility
9 expressions are *boolean expressions* represented in a tree data structure”.
10 (emphasis added). None of the references cited by the Office, including Fig. 5 of
11 Bibayan and Figs. 4-5 of Samar, teach or suggest any such subject matter. For
12 instance, with respect to Fig. 5 of Bibayan in particular, even a cursory inspection
13 shows that this figure depicts a series of sequential steps in a method. As such,
14 this figure cannot be characterized as a boolean expression “represented in a tree
15 data structure”.

16 Accordingly, this claim is allowable.

17 Claims 36-40 and 43 depend from claim 36 and are allowable as depending
18 from an allowable base claim. These claims are also allowable for their own
19 recited features which, in combination with those recited in claim 36, are neither
20 disclosed nor suggested by the references of record.

21 Claim 46, as amended, recites a method of exposing commands in a
22 software application program comprising [added language in bold italics]:

- 23
- 24 • determining a user’s context within an application program without
25 requiring the user to make a menu selection, wherein said
determining is accomplished, at least in part, using tree-based

1 visibility expressions, wherein individual tree-based visibility
2 expressions define conditions that describe a user's interactions with
3 said application program, and wherein individual tree-based
4 visibility expressions are represented in a tree data structure *having*
5 *one or more children nodes, said tree structure evaluating to either*
6 *true or false based at least in part upon the values of said one or*
7 *more children nodes;*

- based on the user's context, displaying commands that are associated with the context and which can assist the user in accomplishing a task; and
- while the commands are being displayed, enabling the user to select and apply various commands multiple times.

8
9 In making out the rejection of this claim, the Office argues that Bibayan
10 and Samar teach or suggest all of the subject matter of this claim and that it would
11 have been obvious to combine their teachings. Applicant respectfully disagrees.
12 For instance, as noted above, Applicant fails to see how Fig. 5 of Bibayan or Figs.
13 4-5 of Samar can possibly be equated with "tree-based visibility expressions" and
14 individual tree-based visibility expressions that are "represented in a tree data
15 structure", as those terms are used and understood in the context of the subject
16 application.

17 Nevertheless, in the interest of advancing the prosecution of this matter,
18 Applicant has amended this claim to clarify that individual tree-based visibility
19 expressions are "represented in a tree data structure *having one or more children*
20 *nodes, said tree structure evaluating to either true or false based at least in part*
21 *upon the values of said one or more children nodes.*" (emphasis added). None of
22 the references cited by the Office, including Fig. 5 of Bibayan and Figs 4-5 of
23 Samar, teach or suggest any such subject matter.

24 Accordingly, this claim is allowable.
25

1 Claims 47, 48, 50-54 and 59 depend from claim 46 and are allowable as
2 depending from an allowable base claim. These claims are also allowable for their
3 own recited features which, in combination with those recited in claim 46, are
4 neither disclosed nor suggested by the references of record.

5 Claim 80, as amended, recites a method of exposing commands in a
6 software application program comprising [added language in bold italics]:

- 7
8 • determining a user's context within an application program by
9 ascertaining a user's selection within a document provided by the
10 application program and by using one or more tree-based visibility
11 expressions, wherein individual expressions define conditions
12 associated with a user's interaction with said document, and wherein
13 individual tree-based visibility expressions are represented in a tree data
14 structure ***which evaluates to either true or false based upon the value
15 of one or more children nodes in the tree data structure***; and
16 • automatically displaying at least one command on a display for the user
17 based on the user's context.

18 In making out the rejection of this claim, the Office argues that Bibayan
19 and Samar teach or suggest all of the subject matter of this claim and that it would
20 have been obvious to combine their teachings. Applicant respectfully disagrees.
21 For instance, as noted above, Applicant fails to see how Fig. 5 of Bibayan or Figs.
22 4-5 of Samar can possibly be equated with "tree-based visibility expressions" and
23 individual tree-based visibility expressions that are "represented in a tree data
24 structure", as those terms are used and understood in the context of the subject
25 application.

26 Nevertheless, in the interest of advancing the prosecution of this matter,
27 Applicant has amended this claim to clarify that individual tree-based visibility
28 expressions are "*represented in a tree data structure which evaluates to either true*

1 or false based upon the value of one or more children nodes in the tree data
2 structure". (emphasis added). None of the references cited by the Office,
3 including Fig. 5 of Bibayan and Figs. 4-5 of Samar, teach or suggest any such
4 subject matter.

5 Accordingly, this claim is allowable.

6 Claims 81 and 84-87 depend from claim 80 and are allowable as depending
7 from an allowable base claim. These claims are also allowable for their own
8 recited features which, in combination with those recited in claim 80, are neither
9 disclosed nor suggested by the references of record.

10 Claim 88, as amended, recites a method of exposing commands in a
11 software application program comprising [added language in bold italics]:

- 12
13 • determining a user's context within an application program using, at
14 least in part, one or more tree-based visibility expressions, wherein
15 individual expressions define conditions associated with a user's
16 interaction with the application program, and wherein individual
17 expressions are represented in a tree data structure ***having one or
18 more children nodes, said tree structure evaluating to either true
19 or false based at least in part upon the values of said one or more
20 children nodes***; and
- 21 • automatically displaying at least one command on a display for the
22 user based on the user's context, independent of a user selecting any
23 displayed menu item.

24 In making out the rejection of this claim, the Office argues that Bibayan
25 and Samar teach or suggest all of the subject matter of this claim and that it would
have been obvious to combine their teachings. Applicant respectfully disagrees.
For instance, as noted above, Applicant fails to see how Fig. 5 of Bibayan or Figs.
4-5 of Samar can possibly be equated with "tree-based visibility expressions" and

1 individual expressions that are “represented in a tree data structure”, as those
2 terms are used and understood in the context of the subject application.

3 Nevertheless, in the interest of advancing the prosecution of this matter,
4 Applicant has amended this claim to clarify that individual tree-based visibility
5 expressions are “represented in a tree data structure *having one or more children*
6 *nodes, said tree structure evaluating to either true or false based at least in part*
7 *upon the values of said one or more children nodes*”. (emphasis added). None of
8 the references cited by the Office, including Fig. 5 of Bibayan and Figs 4-5 of
9 Samar , teach or suggest any such subject matter.

10 Accordingly, this claim is allowable.

11 Claims 89 and 92-95 depend from claim 88 and are allowable as depending
12 from an allowable base claim. These claims are also allowable for their own
13 recited features which, in combination with those recited in claim 88, are neither
14 disclosed nor suggested by the references of record.

15
16 **Claims 3-4, 12-13, 41-42, 45, 49, 56-57, 82-83 and 90-91** stand rejected
17 under 35 U.S.C. § 103(a) as being obvious over Bibayan in view of Samar and
18 further in view of U.S. Patent No. 5,742,504 to Meyer et al. (hereinafter “Meyer”).

19 Claims 3-4 depend from claim 6. In making out the rejection of these
20 claims, the Office argues that Bibayan, Samar and Meyer teach or suggest all of
21 the subject matter of these claims and that it would have been obvious to combine
22 the teachings of these references.

23 Applicant respectfully disagrees. As noted above, neither Bibayan nor
24 Samar teach or suggest all the subject matter of claim 6. Furthermore, Meyer fails
25 to remedy this deficiency. As such, these references cannot be said to teach or

1 suggest all of the subject matter of these dependant claims, either singly or in
2 combination. Accordingly, for at least this reason, these claims are allowable.

3 Claim 12, as amended, recites one or more computer-readable media
4 having computer-readable instructions thereon which, when executed by a
5 computer, cause the computer to [added language in bold italics]:

- 6
- 7 • determine a user's context within an application program;
- 8 • automatically display, independent of the user selecting any
9 displayed menu item, at least one command on a display for the user
10 based on the user's context, said at least one command being
11 displayed in a modeless fashion in which the user can continue to
12 work within a document provided by the application program while
13 said at least one command is displayed; and
- 14 • automatically remove said at least one command from the user's
15 display responsive to a change in the user's context,
- 16 • wherein said automatically display and automatically remove are
17 accomplished, at least in part, using tree-based visibility expressions,
18 wherein individual expressions define conditions associated with a
19 user's interaction with the application and are used to ascertain when
20 to display said at least one command, and wherein individual
21 expressions are represented in a tree data structure ***which evaluates
22 to either true or false based upon the value of one or more children
23 nodes in the tree data structure.***
- 24
- 25

18 In making out the rejection of this claim, the Office argues that Bibayan,
19 Samar and Meyer teach or suggest all of the subject matter of this claim and that it
20 would have been obvious to combine their teachings. Applicant respectfully
21 disagrees. For instance, as noted above, Applicant fails to see how Fig. 5 of
22 Bibayan or Figs. 4-5 of Samar can possibly be equated with "tree-based visibility
23 expressions" and "wherein individual expressions are represented in a tree data
24 structure, as those terms are used and understood in the context of the subject
25 application.

1 Nevertheless, in the interest of advancing the prosecution of this matter,
2 Applicant has amended this claim to clarify that individual expressions “are
3 represented in a tree data structure *which evaluates to either true or false based*
4 *upon the value of one or more children nodes in the tree data structure.*”
5 (emphasis added). None of the references cited by the Office, including Fig. 5 of
6 Bibayan and Figs. 4-5 of Samar, teach or suggest any such subject matter.

7 Accordingly, this claim is allowable.

8 Claim 13 depends from claim 12 and is allowable as depending from an
9 allowable base claim. This claim is also allowable for its own recited features
10 which, in combination with those recited in claim 12, are neither disclosed nor
11 suggested by the references of record.

12 Claims 41-42 and 45 depend from claim 36. In making out the rejection of
13 these claims, the Office argues that Bibayan, Samar and Meyer teach or suggest all
14 of the subject matter of these claims and that it would have been obvious to
15 combine the teachings of these references.

16 Applicant respectfully disagrees. As noted above, neither Bibayan nor
17 Samar teach or suggest all the subject matter of claim 36. Furthermore, Meyer
18 fails to remedy this deficiency. As such, these references cannot be said to teach
19 or suggest all of the subject matter of these dependant claims, either singly or in
20 combination. Accordingly, for at least this reason, these claims are allowable.

21 Claims 49, 56-57 depend from claim 46. In making out the rejection of
22 these claims, the Office argues that Bibayan, Samar and Meyer teach or suggest all
23 of the subject matter of these claims and that it would have been obvious to
24 combine the teachings of these references.

1 Applicant respectfully disagrees. As noted above, neither Bibayan nor
2 Samar teach or suggest all the subject matter of claim 46. Furthermore, Meyer
3 fails to remedy this deficiency. As such, these references cannot be said to teach
4 or suggest all of the subject matter of these dependant claims, either singly or in
5 combination. Accordingly, for at least this reason, these claims are allowable.

6 Claims 82 and 83 depend from claim 80. In making out the rejection of
7 these claims, the Office argues that Bibayan, Samar and Meyer teach or suggest all
8 of the subject matter of these claims and that it would have been obvious to
9 combine the teachings of these references.

10 Applicant respectfully disagrees. As noted above, neither Bibayan nor
11 Samar teach or suggest all the subject matter of claim 80. Furthermore, Meyer
12 fails to remedy this deficiency. As such, these references cannot be said to teach
13 or suggest all of the subject matter of these dependant claims, either singly or in
14 combination. Accordingly, for at least this reason, these claims are allowable.

15 Claims 90 and 91 depend from claim 88. In making out the rejection of
16 these claims, the Office argues that Bibayan, Samar and Meyer teach or suggest all
17 of the subject matter of these claims and that it would have been obvious to
18 combine the teachings of these references.

19 Applicant respectfully disagrees. As noted above, neither Bibayan nor
20 Samar teach or suggest all the subject matter of claim 88. Furthermore, Meyer
21 fails to remedy this deficiency. As such, these references cannot be said to teach
22 or suggest all of the subject matter of these dependant claims, either singly or in
23 combination. Accordingly, for at least this reason, these claims are allowable.
24
25

1 **Claim 58** stands rejected under 35 U.S.C. §103(a) as being obvious over
2 Bibayan in view of Samar and further in view of U.S. Patent No. 5,602,996 to
3 Powers et al. (hereinafter "Powers").

4 Claim 58 depends from claim 46. In making out the rejection of this claim,
5 the Office argues that Bibayan, Samar and Powers teach or suggest all of the
6 subject matter of this claim and that it would have been obvious to combine the
7 teachings of these references.

8 Applicant respectfully disagrees. As noted above, neither Bibayan nor
9 Samar teach or suggest all the subject matter of claim 46. Furthermore, Powers
10 fails to remedy this deficiency. As such, these references cannot be said to teach
11 or suggest all of the subject matter of dependant claim 58, either singly or in
12 combination. Accordingly, for at least this reason, this claim is allowable.

13
14 **Claims 69-79** stand rejected under 35 U.S.C. § 103(a) as being obvious
15 over U.S. Patent No. 6,611,840 to Baer et al. (hereinafter "Baer") in view of
16 Meyer and in further view of Bibayan and still further in view of Samar.

17 Claim 69, as amended, recites a computing system comprising [added
18 language in bold italics]:

- 19 • a single application program configured to provide:
- 20 • a single navigable window;
- 21 • multiple different functionalities to which the single navigable
22 window can be navigated by a user; and
- 23 • at least one context-sensitive command area that is associated with
24 the single navigable window, the single application program being
25 configured to automatically change command sets that are presented
 to the user within the command area as the user navigates to
 different functionalities, at least some commands of the command
 sets being displayable independent of the user selecting any

1 displayed menu item and as a function of one or more tree-based
2 visibility expressions that define conditions that describe a user's
3 interactions with the single application program, wherein individual
4 tree-based visibility expressions are *boolean expressions*
5 represented in a tree data structure.

6 In making out the rejection of this claim, the Office argues that Baer,
7 Bibayan, Samar and Meyer teach or suggest all of the subject matter of this claim
8 and that it would have been obvious to combine their teachings. Applicant
9 respectfully disagrees. For instance, as noted above, Applicant fails to see how
10 Fig. 5 of Bibayan or Figs. 4-5 of Samar can possibly be equated with "one or more
11 tree-based visibility expressions" and individual tree-based visibility expressions
12 that are "represented in a tree data structure", as those terms are used and
13 understood in the context of the subject application.

14 Nevertheless, in the interest of advancing the prosecution of this matter,
15 Applicant has amended this claim to clarify that "individual tree-based visibility
16 expressions are *boolean expressions* represented in a tree data structure. (emphasis
17 added). None of the references cited by the Office, including Fig. 5 of Bibayan
18 and Figs. 4-5 of Samar, teach or suggest any such subject matter. For instance,
19 with respect to Fig. 5 of Bibayan in particular, even a cursory inspection shows
20 that this figure depicts a series of sequential steps in a method. As such, this
21 figure cannot be characterized as a boolean expression "represented in a tree data
22 structure".

23 Accordingly, this claim is allowable.

24 Claims 70-73 depend from claim 69 and are allowable as depending from
25 an allowable base claim. These claims are also allowable for their own recited

1 features which, in combination with those recited in claim 69, are neither disclosed
2 nor suggested by the references of record.

3 Claim 74, as amended, recites a computing system comprising [added
4 language in bold italics]:

- 5
- 6 • a single application program embodied on a computer-readable medium, the single application being configured to:
- 7 • display a single navigable window for a user to use in navigating
- 8 between multiple different functionalities that can be provided by the single application program;
- 9 • provide at least one context-sensitive command area that is associated with the single navigable window, the single application
- 10 program automatically changing command sets that are presented to the user within the command area as the user navigates to different
- 11 functionalities, at least some commands of the command sets being displayable independent of the user selecting any displayed menu
- 12 item and as a function of one or more tree-based visibility expressions that define conditions that describe a user's interactions
- 13 with the single application program, wherein individual tree-based visibility expressions are *boolean expressions* represented in a tree
- 14 data structure; and
- 15 • incorporate different functionalities in an extensible manner so that the user can use the single navigable window to navigate to the
- 16 different incorporated functionalities.
- 17

18 In making out the rejection of this claim, the Office argues that Baer,
19 Bibayan, Samar and Meyer teach or suggest all of the subject matter of this claim
20 and that it would have been obvious to combine their teachings. Applicant
21 respectfully disagrees. For instance, as noted above, Applicant fails to see how
22 Fig. 5 of Bibayan or Figs. 4-5 of Samar can possibly be equated with "one or more
23 tree-based visibility expressions" and individual tree-based visibility expressions
24 that are "represented in a tree data structure", as those terms are used and
25 understood in the context of the subject application.

1 Nevertheless, in the interest of advancing the prosecution of this matter,
2 Applicant has amended this claim to clarify that “individual tree-based visibility
3 expressions are *boolean expressions* represented in a tree data structure”.
4 (emphasis added). As noted above, none of the references cited by the Office,
5 including Fig. 5 of Bibayan and Figs. 4-5 of Samar, teach or suggest any such
6 subject matter.

7 Accordingly, this claim is allowable.

8 Claims 75-77 depend from claim 74 and are allowable as depending from
9 an allowable base claim. These claims are also allowable for their own recited
10 features which, in combination with those recited in claim 74, are neither disclosed
11 nor suggested by the references of record.

12 Claim 78, as amended, recites a computing method comprising [added
13 language in bold italics]:

- 14
- 15 • displaying a user interface that comprises a single navigable window
16 that can be navigated between multiple different functionalities that
17 are provided by a single application program;
- 18 • receiving user input that indicates selection of a particular
19 functionality;
- 20 • responsive to receiving said user input, navigating the single
21 navigable window to the particular selected functionality and
22 displaying in said window indicia of said functionality that can
23 enable a user to accomplish a task associated with the particular
24 selected functionality;
- 25 • determining a user’s context within the selected functionality using
 one or more tree-based visibility expressions, wherein individual
 tree-based expressions define conditions associated with a user’s
 interaction with said selected functionality, and wherein individual
 tree-based visibility expressions are *boolean expressions*
 represented in a tree data structure; and
- automatically displaying at least one command for the user based on
 the user’s context independent of the user selecting any displayed
 menu item.

1 In making out the rejection of this claim, the Office argues that Baer,
2 Bibayan, Samar and Meyer teach or suggest all of the subject matter of this claim
3 and that it would have been obvious to combine their teachings. Applicant
4 respectfully disagrees. For instance, as noted above, Applicant fails to see how
5 Fig. 5 of Bibayan or Figs. 4-5 of Samar can possibly be equated with "one or more
6 tree-based visibility expressions" and individual tree-based visibility expressions
7 that are "represented in a tree data structure", as those terms are used and
8 understood in the context of the subject application.

9 Nevertheless, in the interest of advancing the prosecution of this matter,
10 Applicant has amended this claim to clarify that "individual tree-based visibility
11 expressions are *boolean expressions* represented in a tree data structure".
12 (emphasis added). As noted above, none of the references cited by the Office,
13 including Fig. 5 of Bibayan and Figs. 4-5 of Samar, teach or suggest any such
14 subject matter.

15 Accordingly, this claim is allowable.

16 Claim 79 depends from claim 78 and is allowable as depending from an
17 allowable base claim. This claim is also allowable for its own recited features
18 which, in combination with those recited in claim 78, are neither disclosed nor
19 suggested by the references of record.

20
21 **Claim 44** stands rejected under 35 U.S.C. § 103(a) as being obvious over
22 Bibayan in view of Samar and in further view of Baer.

23 Claim 44 depends from claim 36. In making out the rejection of these
24 claims, the Office argues that Bibayan, Samar and Baer teach or suggest all of the
25

1 subject matter of this claim and that it would have been obvious to combine the
2 teachings of these references.

3 Applicant respectfully disagrees. As noted above, neither Bibayan nor
4 Samar teach or suggest all the subject matter of claim 36. Furthermore, Baer fails
5 to remedy this deficiency. As such, these references cannot be said to teach or
6 suggest all of the subject matter of dependant claim 44, either singly or in
7 combination. Accordingly, for at least this reason, this claim is allowable.

8
9 **Claim 55** stands rejected under 35 U.S.C. § 103(a) as being obvious over
10 Bibayan in view of Samar and in further view of U.S. Patent No. 5,436,637 to
11 Gayraud et al. (hereinafter "Gayraud").

12 Claim 55 depends from claim 46. In making out the rejection of these
13 claims, the Office argues that Bibayan, Samar and Gayraud teach or suggest all of
14 the subject matter of this claim and that it would have been obvious to combine
15 the teachings of these references.

16 Applicant respectfully disagrees. As noted above, neither Bibayan nor
17 Samar teach or suggest all the subject matter of claim 46. Furthermore, Gayraud
18 fails to remedy this deficiency. As such, these references cannot be said to teach
19 or suggest all of the subject matter of dependant claim 55, either singly or in
20 combination. Accordingly, for at least this reason, this claim is allowable.

1
2 **Conclusion**

3 All of the claims are in condition for allowance. Accordingly, Applicant
4 requests a Notice of Allowability be issued forthwith. If the Office's next
5 anticipated action is to be anything other than issuance of a Notice of Allowability,
6 Applicant respectfully requests a telephone call from the Examiner.
7
8

9 Respectfully Submitted,

10
11 Dated: 3/3/2002

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